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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,823	11/12/2003	Dirk Golz	DSC-196	6937
7590 04/07/2005 LERNER AND GREENBERG, P.A. POST OFFICE BOX 2480 HOLLYWOOD, FL 33022-2480			EXAMINER HUNNINGS, TRAVIS R	
			ART UNIT 2632	PAPER NUMBER

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/706,823	<b>Applicant(s)</b> GOLZ ET AL.	
	<b>Examiner</b> Travis R Hunnings	<b>Art Unit</b> 2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on 14 December 2002. It is noted, however, that applicant has not filed a certified copy of the 10258563.6 application as required by 35 U.S.C. 119(b).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 and 8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Martter et al. (Martter; US Patent 6,137,072).

Regarding claim 1, Martter discloses *Control Panel* that has the following claimed subject matters:

The claimed operating panel configuration comprising a control circuit being a functional unit having at least one component selected from the group consisting of operating elements, control elements, switching elements, and display elements, said

control circuit having a circuit front side is met by the control panel (10) having individual switches to control the various electrical functions of the appliance (col3 32-38);

The claimed operating panel configuration comprising an operational panel having a single opening formed therein receiving said control circuit, said operating panel having a panel front side adapted to a configuration of said circuit front side of said control circuit is met by the mounting of the control panel in the control section or box of the appliance as shown in figure 1 (col3 32-38).

Regarding claim 2, Martter discloses all of the claimed limitations. The claimed operating panel configuration wherein said control circuit is a control module in which all functions which are relevant in terms of control procedures and all operating and display elements including mechanical and optical functional elements are integrated is met by the control panel being used to control the various electrical functions of the appliance as seen in figure 1 (col3 32-38).

Regarding claim 3, Martter discloses all of the claimed limitations. The claimed operating panel configuration further comprising a power switch integrated into said control module is met by the control panel being used to control the various electrical functions of the appliance (col3 32-38). A power switch is an integral part of the electrical functioning of the device and would obviously be included.

Regarding claim 4, Martter discloses all of the claimed limitations. The claimed operating panel configuration wherein said circuit front side of said control module is adapted to said panel front side is met by the control panel being mounted in the control section or box of the appliance as can be seen in figures 1 and 2 (col3 32-38).

Regarding claim 5, Martter discloses all of the claimed limitations. The claimed operating panel configuration wherein said control front side of said control module has a region for information is met by the control panel including decorating coating formed thereon, such as, for example, by screen or graphic printing (col3 39-41).

Regarding claim 6, Martter discloses all of the claimed limitations. The claimed operating panel configuration wherein said region is provided with at least one of text and symbols is met by the control panel including decorating coating formed thereon, such as, for example, by screen or graphic printing (col3 39-41).

Regarding claim 8, Martter discloses all of the claimed limitations. The claimed operating panel configuration wherein said component is one of a plurality of components forming said control circuit is met by the control panel having individual switches to control the various electrical functions of the appliance and the claimed operating panel configuration wherein said operating panel does not contain any of said components is met by the control section or box of the appliance only mounting the

control panel and not containing any of the control elements or individual switches as seen in figure 1 (col3 32-38).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martter in view of Yamada et al. (Yamada; US Patent Publication 2002/0052913).

Regarding claim 7, Martter disclose all of the claimed limitations except for the claimed operating panel configuration wherein said region has a display for changing items of information. Yamada discloses *User Support Apparatus And System Using Agents* that teaches including a Liquid Crystal Display (LCD) in a home appliance in order to provide indications and up-to-date information regarding the status of the appliance to the user (paragraph 131). Adding an LCD to the device of Martter would make the product easier to use by providing current feedback regarding the operation of the appliance. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Martter according to the teachings of Yamada to include an LCD for changing items of information.

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

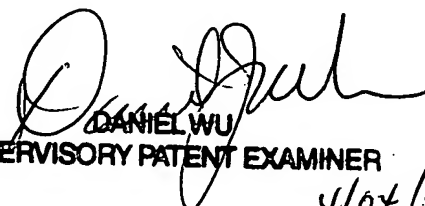
Girard, USP 5,721,666

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRH

  
DANIEL WU  
SUPERVISORY PATENT EXAMINER  
4/04/05